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GOVERNMENT OF PUNJAB

DEPARTMENT OF LABOUR

(LABOUR BRANCH)

NOTIFICATION

The 27th November, 2020

No.Labour-Lab0Misc/32/2020-2L/1824.-The following draft of rules, further to amend the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Punjab) Rules, 1983, which the Governor of Punjab proposes to amend in exercise of the powers conferred by section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (Central Act No. 30 of 1979) is hereby published as required by sub-section (1) of the said section 35 for the information of the persons likely to be affected thereby.

Notice is hereby given that the draft will be taken into consideration by the Government on or after the expiry of a period of seven days from the date of publication of this notification in the Official Gazette together with any objection or suggestion, which may be received by the Labour Commissioner, Punjab from any person with respect to the said draft, before the expiry of the period so specified, namely:-

Draft Rules

1. These rules may be called the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Punjab) Amendment Rules, 2020.

2. In the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) (Punjab) Rules, 1983 (hereinafter referred to as the said rules), for rule 14, the following shall be substituted, namely:-

"14. Renewal of License - (1) Every Contractor shall apply for renewal of the license on online portal www.pblabour.gov.in.

(2) Every application for renewal shall be in Form IX available on online portal specified in sub-rule (1) and shall be made not less than thirty days before the date on which the license expires, and if the application is so made, the license shall be renewed within seventy two hours of the receipt of online application.

- (3) The contractor shall upload a self-declaration that he has fully complied with the labour laws and nothing is due to workers under labour laws.
- (4) Records of certain percentage of contractors would be inspected to ensure the genuineness of declaration submitted by them and to see that contract workers are deployed only on the jobs for which license was obtained. In case self declaration is found incorrect the license shall be revoked.
- (5) In case of any application for renewal of license, where there is no change in particulars mentioned in previously granted or renewed license such license shall be renewed automatically within seventy two hours of the receipt of online application. However, applicant has to apply for renewal of license on online portal and license shall be renewed through automatic mode online within seventy two hours of the receipt of online application.
- (6) The fees chargeable for renewal of the license shall be same as for the grant thereof:

Provided that if the application for renewal is not received within the time specified in sub-rule (2), a fee of twenty-five per cent in excess of the fees ordinarily payable for the license shall be payable for such renewal :

Provided further that in case where the licensing officer is satisfied that the delay in submission of the application is due to unavoidable circumstances beyond the control of the contractor, he may reduce or remit, as he deems fit, the payment of such excess fee".

3. In the said rules, after rule 53, the following rule shall be inserted, namely:-

"53A Maintenance of register and record in digital format- (1) Any register and record required to be maintained under these rules may also be maintained and preserved in digital format and shall contain time stamp, Geo ositioning and Digital Signature of the concerned principal employer or contractor.

- (2) The principal employer or contractor shall provide access to the Inspector to inspect such registers as and when required and shall also make a provision for signing of registers digitally by the Inspectors"

VIJAY KUMAR JANJUA, IAS,
Additional Chief Secretary to Government of Punjab,
Department of Labour.